REMARKS/ARGUMENTS

Claims 1-21 remain pending in this application. Further reconsideration of this application is requested in view of the following.

Objection to Abstract

The objection to the abstract of the disclosure is not understood and is traversed, as the Abstract provided in the last response is in the form of a single paragraph and is between 50 -150 words. Further explanation of the reasons for objection is requested if the Examiner does not withdraw this objection.

35 U.S.C. § 102 Rejection

The rejection of claims 1-8 as being anticipated by Kobayashi et al., U.S. Patent No. 5,719,859, is respectfully traversed. Kobayashi discloses a TDMA radio communication system wherein a base station includes a time slot assigning unit for assigning an appropriate number of time slots to mobile stations according to necessity. That is, the base station assigns time slots in response to requests for slot acquisition. See Fig. 11, steps 1104 and 1107. Traffic monitoring controller 504 monitors traffic of received data for each time slot, and if any time slot use rate exceeds a predetermined threshold value, issues a time slot acquisition request. Upon receipt of this request, a CPU in the base station assigns time slots to the requesting mobile station. The base station transmits a time slot assignment notification signal to the mobile station. The mobile station then issues a radio connection request to the base station for the newly assigned time slot. If connection is successful, the base station then sends a success acknowledgment signal to the mobile station, upon receipt of which the mobile station begins to use the newly assigned time slot for communication with the base station. See col. 8, ll. 5-33.

The time slot assignment procedure described by Kobayashi is analogous to the conventional procedure described in the present application at page 2, line 13, to page 3, line 7. Unlike the invention set forth in claim 1, Kobayashi does not disclose a subscriber station including time slot changing means that changes a time slot in which to receive data from a base station upon receiving time slot change information from change request means of the base station. Instead, as shown in Fig. 15, when the base station transmits a slot assignment signal (step 1505), it must wait for a response from the mobile station, and if the mobile station responds with a radio connection request (step 1506), the base station must determine whether the radio connection can be made successfully (step 1508) and if so the base station must transmit a success notification (step 1510), whereupon the mobile station finally begins to use the assigned time slot for communication (step 1511).

As such, the procedure described by Kobayashi suffers from the same problem as the conventional procedure described in the present application that a considerable amount of waiting time until the transmission rate is actually changed once a request has been issued. To the contrary, according to the invention of claim 1, when the mobile station receives a time slot change information signal, it responds by changing the time slot in which to receive communication signals from the base station.

35 U.S.C. § 103 Rejections

The rejection of claims 9 and 10 as being unpatentable over Kobayashi in view of Schrader et al., U.S. Patent No. 5,896,561, claims 11-18 and 21 as being unpatentable over Kobayashi in view of Akerberg, U.S. Patent No. 5,150,362, and claims 19 and 20 as being unpatentable over Kobayashi in view of Akerberg and Schrader, are respectfully traversed.

Schrader discloses the use of a polling sequence by a base station to a plurality of remote transceivers during periods of heavy loading, while during periods of light loading the base station stops polling and enters into a dormant state. Schrader fails to cure the

basic deficiency of Kobayashi as described above, and therefore cannot render claims 9 and 10 obvious when combined with Kobayashi. Additionally, nowhere in cols. 33 and 34 cited in the Office action does Schrader disclose making reference to the sendable power of a transmitter in the base station or to the sensitivity of a receiver in a subscriber station as alleged in the Office action.

Akerberg discloses a method of choosing an appropriate base station and time slot for the purpose of call set up or handover by a mobile station. This is irrelevant to the present claimed invention as the present invention is not directed to independent selection of a base station by a mobile station. No combination of Akerberg with Kobayashi would result in the claimed invention as set forth in claims 11-18 or 21.

Similarly, no combination of Akerberg or Schrader could result in the invention as set forth in claims 19 and 20 for the same reasons as discussed above.

Conclusion

In view of the foregoing, further and favorable reconsideration of this application and the issuance of a Notice of Allowance are solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,

By _____

Monica S. Davis
Attorney for Applicants
Registration No. 44,492
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202)783-6040
Facsimile: (202)783-6031

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